

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION  
THOMPSON CENTER, RM 9-036  
HELD ON SEPTEMBER 15, 2011 3:00 PM**

**Present at the meeting were:**

Chairman Mitch Weisz  
Commissioner Yolaine Dauphin  
Commissioner David Gore  
Commissioner Kevin Lamborn  
Commissioner Nancy Lindsay  
Commissioner Molly Mason  
Commissioner Thomas Tyrrell  
Commissioner Mario Basurto

**Participating Via Conference Call**

Commissioner Daniel Donohoo

**IWCC staff present at the meeting were:**

Ms. Kimberly Janas, Secretary  
Ms. Carolyn Parks, Executive Director  
Mr. Ron Rascia, General Counsel  
Ms. Dora Shabazz, Judicial Coordinator  
Mr. Darrell Widen, Assistant General Counsel

Chairman Mitch Weisz called the meeting to order at 3:00 p.m.

Upon motion duly made by Commissioner Lamborn, seconded by Commissioner Gore, and unanimously carried, the minutes of the Commission meeting held June 15, 2011 were approved.

Chairman Weisz noted several of the recent staff additions at the Commission. Bob Devereaux was recently hired for the position of Efficiency Control and Fraud Prevention. He is a CPA and a MBA and is also acting as the interim Chief Financial Officer. Kim Janas was recently appointed as Secretary of the Commission. As part of her responsibilities as Secretary, Kim will be working on updating the Commission's rules. Amy Masters has been acting as a consultant and her last day at the Commission will be September 16.

Chairman Weisz also noted that the Governor should be appointing arbitrators sometime in the near future. All of the arbitrators will attend the training scheduled for October 20 and 21<sup>st</sup>.

Chairman Weisz summarized some of the recent activities of the Workers' Compensation Advisory Board. The Board and the Governor's office have interviewed all of the current arbitrators, except Arbitrator Dibble and Arbitrator Teague, who has resigned. The Board has also interviewed new

candidates for the arbitrator position. The Board and the Governor's office are currently in the process of finalizing arbitrator appointments. On the Commission level, the Commission's staff has been preparing for the transitional issues that may arise with the change of arbitrators.

Chairman Weisz shared some of the work of the Commission Review Board. The Board recently appointed 4 certified independent arbitrators who will hear the workers' compensation claims made by Commissioners, Arbitrators, and Commission employees.

Chairman Weisz then opened the meeting for questions and comments by the Commissioners.

Commissioner Mason recommended further review as to whether the notice of review needs to be sent by certified mail as opposed to other means that only provides a delivery confirmation. Chairman Weisz noted that this may be an issue that needs to be addressed in the revision of the Commission's rules and may also be solved by utilizing some of the technology available to the Commission.

Chairman Weisz shared that the circuit court recently affirmed the Commission's decision regarding the termination of a claimant's right to seek adjustments from the Rate Adjustment Fund when a settlement contract has been executed. Assistant Counsel Darrell Widen is currently reviewing the decision. It is unclear at this time whether the decision will be appealed.

The Commission also discussed several other issues, including the failure to secure a transcript as a jurisdictional bar to Commission review, the location of Commission review sites, and the printing of review notices.

Upon motion duly made by Commissioner Lamborn, seconded by Commissioner Gore, and unanimously carried, the meeting was adjourned at 3:30 pm.